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COMMITTEE AGAINST TORTURE

Eighth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 104th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 27 April 1992, at 10.30 a.m.

Temporary Chairman: Mr. HOUSHMAND (Representative of the Secretary-General)

Chairman: Mr. VOYAME

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* The summary record of the second part (closed) of the meeting appears as document CAT/C/SR.104/Add.1.

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The meeting was called to order at 10.40 a.m.

OPENING OF THE SESSION BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL (item 1 of the provisional agenda)

1. The TEMPORARY CHAIRMAN declared the session open. He welcomed the members of the Committee on behalf of the Under-Secretary-General for Human Rights, who deeply regretted not being able to attend the opening of the session due to his absence from Geneva, but who would make a statement on his return the following day. On that occasion, he would provide detailed information on developments at the most recent meetings of the General Assembly and the Commission on Human Rights.

SOLEMN DECLARATION BY THE NEWLY-ELECTED MEMBERS OF THE COMMITTEE (item 2 of the provisional agenda)

2. The TEMPORARY CHAIRMAN, on behalf of the Secretary-General, congratulated the five members of the Committee who had been elected or re-elected at the third meeting of the States parties to the Convention and invited them to make the solemn declaration required under rule 14 of the Committee's rules of procedure.

3. Mr. BEN AMAR, Mr. BURNS, Mr. EL IBRASHI, Mr. GIL LAVEDRA and Mr. LORENZO solemnly declared that they would perform their duties and exercise their powers as members of the Committee against Torture honourably, faithfully, impartially and conscientiously.

ELECTION OF THE OFFICERS OF THE COMMITTEE (item 3 of the provisional agenda)

4. The TEMPORARY CHAIRMAN called for nominations for Chairman of the Committee.

5. Mr. DIPANDA MOUELLE said that, since the establishment of the Committee, Mr. Voyame had shown a dynamism, clear-sightedness and open-mindedness which had been appreciated by all. He proposed that, as the Committee was still a very new body and in need of equilibrium and stability, Mr. Voyame should be re-elected to the office which he had occupied so effectively in the past.

6. Mr. MIKHAILOV and Mr. GIL LAVEDRA supported the proposal. According to practice, the chairmanship should in principle be held in rotation. However, having been formed only recently, the Committee still needed to be consolidated, and no one was better qualified to preside over that process than Mr. Voyame.

7. Mr. Voyame was re-elected Chairman by acclamation.

8. Mr. Voyame took the Chair.

9. The CHAIRMAN thanked the members of the Committee for the confidence which they had once again shown in him despite his expressed wish to hand over to someone else and called for nominations for the offices of Vice-Chairmen and Rapporteur.

10. Mr. SORENSEN, supported by Mr. KHITRIN, proposed that the outgoing Vice-Chairmen and Rapporteur should be re-elected, so as to preserve the stability and harmony which had thus far prevailed among the officers of the Committee.

11. Mr. Dipanda Mouelle, Mr. Gil Lavedra and Mr. Mikhailov were re-elected Vice-Chairmen by acclamation.

12. Mr. Burns was re-elected Rapporteur by acclamation.

ADOPTION OF THE AGENDA (item 4 of the provisional agenda) (CAT/C/18)

13. The provisional agenda (CAT/C/18) was adopted.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 5)

14. The CHAIRMAN suggested that the Committee should not meet in the afternoon, to allow members to examine the latest reports that had been circulated. Unfortunately, the Committee would have only four reports before it at the current session, which would not enable it to make much headway. He recalled that 26 periodic reports were due by the end of the year and that 22 initial reports, 14 of which were late, were still to be submitted. It was also regrettable that some countries which had submitted their reports felt unable to attend the Committee's meetings in order to introduce them.

15. As was the case each year, it would be desirable for the Committee to hold a press conference. If members had no objection, it could be held on Thursday, 30 April, at 11 a.m.

16. The Committee would also have to consider the status of the Convention in light of document CAT/C/2/Rev.2. There were currently 64 States parties to the Convention, a number which was expected to increase, particularly in view of developments in the former USSR and Yugoslavia. Two supplementary reports, namely those of China and the Libyan Arab Jamahiriya, were still awaited and only a few delegations, such as Uruguay, had provided the additional information requested by the Committee.

17. At meetings of the Preparatory Committee for the World Conference on Human Rights, the Committee against Torture would be represented by Mr. Sorensen and Mr. Mikhailov. They would report to the Committee on the Preparatory Committee's work at its second session. The members of the Committee against Torture would be able to make suggestions for the third session of the Preparatory Committee.

18. The Committee appointed one rapporteur to liaise with each United Nations human rights body. At the current session, Mr. Sorensen would report on the work of the Committee on the Rights of the Child. Mr. El Ibrashi was standing for the office left vacant by Mrs. Chanet and would thus be responsible for liaison with the Human Rights Committee.

19. At the current session, the Committee would probably be addressed by the Chairman of the Board of Trustees of the Voluntary Fund for Victims of Torture.

20. At its last session, the Commission on Human Rights had asked various bodies, including the Committee against Torture, for suggestions on the advisory services programme of the Centre for Human Rights. It might therefore be worthwhile setting aside a meeting of the Committee to consider that question.

21. In its resolution 1992/43, the Commission on Human Rights had invited the Committee to submit comments on a draft optional protocol to the Convention against Torture. That matter had already been taken up by the Committee at its 80th meeting on 25 April 1991 and would have to be discussed further. He understood that Mr. Burns was willing to act as rapporteur on the question.

22. The Committee would also have to reach decisions on General Assembly resolution 46/111 and on the resolutions adopted by the Commission on Human Rights at its forty-eighth session.

23. Mr. Sorensen had proposed that the Committee should consider the possibility of reviewing the Principles of Medical Ethics adopted by the General Assembly in 1982 in its resolution 37/194. It might perhaps be worthwhile for the Committee to consider that question also.

24. At its last session, the Commission on Human Rights had adopted resolution 1992/48 entitled "Human rights and disability", in which it invited human rights treaty monitoring bodies to monitor the compliance of States with their commitments to ensure the full enjoyment of those rights by disabled persons. The Committee might respond to that request by devoting special attention to the plight of persons disabled as a result of torture, particularly in connection with its consideration of article 14 of the Convention.

The public meeting rose at 11.30 a.m.